

05/08/01



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

John G. Aceti, Walter P. Sjursen, David A. Preves  
and Frederick J. Fritz

Application No.:

09/805,743

Group: 2643

Filed:

03/13/01

Examiner: N/A

For:

Remote Programming and Control Means for a Hearing Aid

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>5/17/01</u>	<u>Eileen M. Woodbury</u>
Date	Signature
Eileen M. Woodbury	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATIONBox Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated April 24, 2001, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

☒ **EXECUTED DECLARATION/POWER OF ATTORNEY***(Separate transmittal letter and postcard not required)*☒ **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate.*(Separate transmittal letter and postcard not required)*☒ **SURCHARGE** - surcharge fee of \$130.*(Separate transmittal letter and postcard not required)*☐ **SEQUENCE LISTING** - Filed concurrently and is attached.*(Separate transmittal letter and postcard required)*

**[X] TRANSMITTAL OF FORMAL DRAWINGS**

☒ Sheets of formal drawings consisting of Figs. 1 - 9 are enclosed.

*(Separate transmittal letter and postcard not required)*

**[ ] PETITION FOR EXTENSION OF TIME**

☐ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [ ] for [ ] month(s) from [ ] to [ ].  
The appropriate fee of \$[ ] is included in the enclosed check.

☐ A [ ] month extension of time to respond to the Notice to File Missing Parts dated [ ] was filed on [ ] with payment of a \$[ ] fee.

☐ Applicant hereby petitions for an additional [ ] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[ ] is included in the enclosed check.

*(Separate Petition for Extension of Time and postcard not required)*

**[X] REQUEST FOR CORRECTED FILING RECEIPT - Filed concurrently and is attached.**

*(Separate transmittal letter and postcard required)*

**[ ] STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on [ ].

☐ Is enclosed herewith.

*(Separate transmittal letter and postcard not required)*

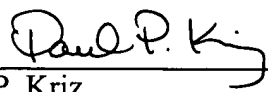
☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[ ] which were paid on [ ] to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$1182. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

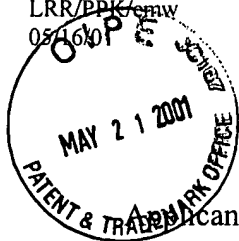
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By

  
Paul P. Kriz  
Registration No.: 45,752  
Tel.: (781) 861-6240  
Fax: (781) 861-9540

Lexington, Massachusetts 02421-4799

Date: May 16, 2001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): John G. Aceti, Walter P. Sjursen, David A. Preves  
and Frederick J. Fritz

Application No.: 09/805,743                      Group: 2643

Filed: 3/13/01                      Examiner: N/A

For: Remote Programming and Control Means for a Hearing Aid

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>5/17/01</u>	<u>Eileen M. Woodbury</u>
Date	Signature
<u>Eileen M. Woodbury</u>	
Typed or printed name of person signing certificate	

REQUEST FOR CORRECTED FILING RECEIPT  
FOR UTILITY APPLICATION

Office of Initial Patent Examination  
Customer Service Center  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

We hereby request that the following items of information be corrected in the Filing Receipt for the subject application received in this office on April 30, 2001.

A concurrently filed Declaration/Power of Attorney is submitted herewith.

The errors and corrections appear below.

Under the "Domestic Priority data as claimed by Applicant" section, please delete the previous text and insert the text as follows:

This application Claims benefit of 60/188,857 filed on 03/13/00; and is related to U.S. Provisional Applications: 60/188,997 filed on 03/13/00; 60/188,996 filed on 03/13/00; 60/188,721 filed on 03/13/00; and is related to U.S. Applications 09/524,666 filed on 3/13/00; 09/524,043 filed on 3/13/00; 09/524,040 filed on 3/13/00; 09/804,982 filed on 3/13/01; 09/808,099 filed on 3/13/01; and 09/804,978 filed on 3/13/01.

Enclosed are a copy of the Filing Receipt with changes noted in red, and a copy of the Declaration/Power of Attorney.

Pursuant to instructions in the February 29, 2000 O.G., we hereby request that the errors which are identified above be corrected in the captioned application to which this request for correction is directed. It is understood that the Patent Office will issue an automatically-generated, corrected Filing Receipt in this and, if applicable, any other affected applications.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Paul P. Kriz

Paul P. Kriz

Registration No.: 45,752

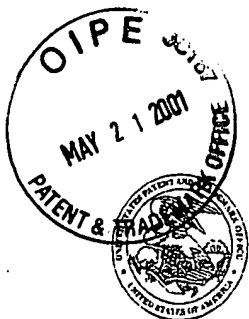
Telephone: (781) 861-6240

Facsimile: (781) 861-9540

Lexington, MA 02421-4799

Date:

May 16, 2001



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/805,743	03/13/2001	2643	0.00	2506 . 2019-001	9	39	3

CONFIRMATION NO. 3870

## FILING RECEIPT



\*OC000000005999226\*

Leo R. Reynolds, Esq.  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
Two Militia Drive  
Lexington, MA 02421-4799

Date Mailed: 04/24/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

John G. Aceti, Residence Not Provided;  
Walter P. Sjursen, Residence Not Provided;  
David A. Preves, Residence Not Provided;  
Frederick J. Fritz, Residence Not Provided;

## Assignment For Published Patent Application

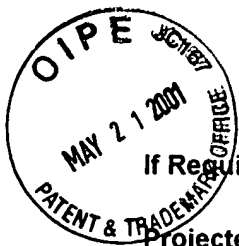
Songbird Hearing, Inc.;

## Domestic Priority data as claimed by applicant

~~THIS APPLN CLAIMS BENEFIT OF 60/188,857 03/13/2000~~  
~~AND CLAIMS BENEFIT OF 60/188,997 03/13/2000~~  
~~AND CLAIMS BENEFIT OF 60/188,996 03/13/2000~~  
~~AND CLAIMS BENEFIT OF 60/188,721 03/13/2000~~

## Foreign Applications

This Application Claims benefit of 60/188,857 filed on 3/13/00; and is related to U.S. Provisional: 60/188,997 filed on 3/13/00; 60/188,996 filed on 3/13/00; 60/188,721 filed on 3/13/00; and is Related to U.S. Applications 09/524,666 filed on 3/13/00; 09/524,043 filed on 3/13/00; 09/524,046 filed on 3/13/00; 09/804,982 filed on 3/13/01; 09/808,099 filed on 3/13/01; and 09/804,978 filed on 3/13/01



If Required, Foreign Filing License Granted 04/20/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**Title**

Remote programming and control means for a hearing aid

**Preliminary Class**

381

---

**Data entry by :** MUSLIM, ALIA

**Team :** OIPE

**Date:** 04/24/2001





**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

**PLEASE NOTE the following information about the Filing Receipt:**

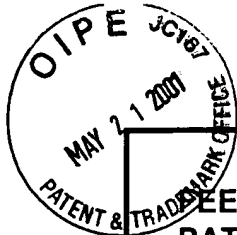
- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:



Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231





## HAMILTON, BROOK, SMITH &amp; REYNOLDS, P.C.

FEE TRANSMITTAL FOR PATENT APPLICATIONS		Attorney Docket Number	2506.2019-001		
		Application Number	09/805,743		
		First Named Inventor	John G. Aceti		
CLAIM CALCULATION (includes any preliminary amendment)					
CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	39 - 20* =	19	x \$ 18 =	\$ 342
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	3 - 3** =		x \$ 80 =	\$ 0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 270 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 710
				Total of above Calculations =	\$ 1052
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =			\$	
	TOTAL =			\$ 1052	
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =			\$ 130	
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =			\$	
	Assignment Recordation Fee = (only when filed with application)			\$	
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent			TOTAL =	\$ 1182
1. Small entity status:					
a. <input type="checkbox"/> A small entity statement is enclosed.					
b. <input type="checkbox"/> A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.					
c. <input type="checkbox"/> Is no longer claimed.					
2. <input checked="" type="checkbox"/> A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.					
3. <input checked="" type="checkbox"/> A check is enclosed for \$1182. <input type="checkbox"/> Please charge \$[ ] to Deposit Account No. 08-0380.					
4. <input type="checkbox"/> Other: _____					
Signature		Paul P. Kriz		Date	May 16, 2007
Submitted by Typed or Printed Name		Paul P. Kriz		Reg. Number	45,752



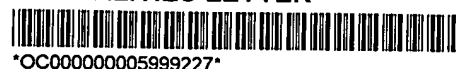
## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/805,743	03/13/2001	John G. Aceti	2506 . 2019-001

CONFIRMATION NO. 3870

## FORMALITIES LETTER



Leo R. Reynolds, Esq.  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
Two Militia Drive  
Lexington, MA 02421-4799

Date Mailed: 04/24/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

CE/23/2001 HADHAMH1 00000079 09805743

01 FC:101	710.00 OP
02 FC:105	130.00 OP
03 FC:103	342.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$342.
  - \$342 for 19 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1182.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

---

*A copy of this notice MUST be returned with the reply.*

*AM*

---

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE